

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

MELVIN T. BROWN, JR.,)	
)	
Plaintiff,)	
)	
v.)	CV422-221
)	
JARED LEE,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

Pro se plaintiff Melvin T. Brown, Jr., filed this 42 U.S.C. § 1983 case alleging that his Fourth Amendment rights were violated when his personal property was seized. *See* doc. 8 at 6-7. Lee moved to dismiss. Doc. 11. Brown failed to respond. *See generally* docket. The Court noted that failure and directed Brown to show cause why his case should not be dismissed for his failure to prosecute. Doc. 14 at 4. Brown again failed to respond. *See generally* docket. Lee then filed a second Motion to Dismiss asserting Brown's failure to prosecute this case and noting his failure to respond to the Court's Order to Show Cause. *See* doc. 15. Brown, once again, failed to respond. *See generally* docket. Since Brown

has failed to prosecute this case, Defendant's Motion should be **GRANTED**. Doc. 15. Brown's case should be **DISMISSED**.

This Court has the authority to prune cases from its docket where parties have failed to comply with its Orders. *See* S.D. Ga. L.R. 41.1(b); *see also Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989) (“The district court possesses the inherent power to police its docket.”); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, CV491-277 (S.D. Ga. June 10, 1992). Accordingly, Lee's Motion to Dismiss should be **GRANTED**. Doc. 15. Brown's Complaint should be **DISMISSED**.¹ Doc. 1.

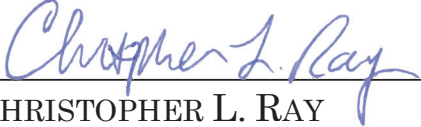
This Report and Recommendation (R&R) is submitted to the district judge assigned to this action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 72.3. Within 14 days of service, any party may file written objections to this R&R with the Court and serve a copy on all parties. The document should be captioned “Objections to

¹ If the District Judge adopts this recommendation, Lee's original Motion to Dismiss should be **DENIED** as moot. Doc. 11.

Magistrate Judge's Report and Recommendations." Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge's findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to timely file objections will result in the waiver of rights on appeal. 11th Cir. R. 3-1; *see Symonette v. V.A. Leasing Corp.*, 648 F. App'x 787, 790 (11th Cir. 2016); *Mitchell v. United States*, 612 F. App'x 542, 545 (11th Cir. 2015).

SO REPORTED AND RECOMMENDED, this 3rd day of May, 2023.



CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA